

REMARKS

By this amendment, paragraph 8 of the specification, the abstract, and Claims 1, 4 and 11 have been amended to remove the term “alkyl” therefrom in order to clarify that R1 is, *inter alia*, a straight-chained alkylene group or a branched alkylene group. Paragraph 21 of the specification has been amended to change “cyclohexanone” to “cyclohexanol” as suggested by the examiner. Paragraphs 32, 33, 37, 43 and 57 have been amended to correct typographical errors in the fonts. Claims 10 and 17 have been canceled, and new Claims 21 and 22 have been added. Support for these amendments is found in Examples 5 and 6 at paragraphs 55 and 56 of the specification.

The requirement for restriction is improper and should be withdrawn. Initially, the examiner is incorrect that the addition of the word “unpolymerizable” to Group I can be used to distinguish Group I from Group II. The claims of Group I clearly are not limited to unpolymerizable compounds. Further, according to MPEP § 809, a linking claim **must** be examined with the invention elected. In the instant case, generic Claim 1 is a linking claim that links the respective subgenuses of the other claims (see MPEP § 809.03). Thus, Claim 1 must be examined together with the provisionally elected claims. Withdrawal of the requirement for restriction and examination of the full scope of the claimed subject matter is respectfully requested.

In view of the amendments to the specification, withdrawal of the objections raised in paragraph 2 of the Office Action is respectfully requested. Also, the objections raised in paragraph 3 of the Office Action have been rendered moot by the cancellation of Claims 10 and 17. Finally, the monomers M1-M5, M7 and M8 of canceled Claims 10 and 17 have been identically reproduced in new Claims 21 and 22, and the monomer M6 has been rewritten in new Claims 21 and 22 to properly depict the product obtained via the reaction of the eighth fluorine-containing compound (FC8) and α -CF₃ acrylic chloride, as disclosed in paragraphs 54 and 55 of the specification. No further correction is deemed necessary.

The rejection of Claims 4-17 and 20 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. In view of the foregoing amendments to parent Claims 4 and 11, the rejection should be withdrawn.

The rejections of Claims 4, 5, 11 and 12 under 35 U.S.C. § 103(a) over Ohmori (U.S. 4,644,043) in view of Mowrer (U.S. 6,013,752) and of Claims 4 and 11 over Suzuki (WO 88/09799) in view of Mowrer are respectfully traversed.

Ohmori and Suzuki each disclose the structure $-O-R^1-CF_2-\underline{CF}(CF_3)OR^2$. However, the claimed compound is required to have the structure represented by formula 1, i.e., $-O-R^1-CF_2-\underline{CH}(CF_3)OR^2$. It is clear that neither Ohmori nor Suzuki disclose or suggest the substitution of the underlined hydrogen atom for the underline fluorine atom.

Mowrer fails to remedy the deficiencies of either primary reference. Mowrer discloses that hydroxy-functional organic halogenated compounds are preferred organic halogen-containing ingredients in the formation of halogenated resins because Si-O-C bonds form during polymerization (Mowrer at column 9, lines 8-23). Specifically, Mowrer discloses that the hydroxyl oxygen atom in both hexafluoropropanol and heptafluoropropanol can act as a reactive site toward silicon to form the Si-O-C bond (Mowrer at column 9, lines 19-34 and column 16, line 30).

However, the C2 fluorine atom of Mowrer is substantially different from the underlined fluorine atom of either Ohmori or Suzuki ($-O-R^1-CF_2-\underline{CF}(CF_3)OR^2$). In the structure of Ohmori and Suzuki, the oxygen atom bound to the underlined fluorine atom is protected from reaction by the R^2 moiety. In Ohmori, for example, it is clear that the oxygen atom bound to the underlined fluorine atom does not function as a reactive oxygen and that the double-bonded carbon atoms function as reactive sites in the polymerization.

Thus, Mowrer merely teaches that fluoroalcohols that differ in the substitution of a hydrogen atom for a fluorine atom are reactive toward silicon. The similar reactivity toward silicon of hexafluoropropanol and heptafluoropropanol fails to provide the requisite motivation to replace the

underlined fluorine of the structure -O-R¹-CF₂-CF(CF₃)OR² with a hydrogen atom. Accordingly, withdrawal of the rejections are respectfully requested.

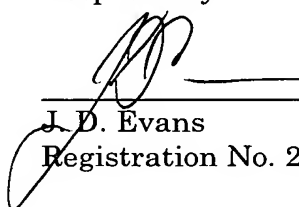
The rejections of Claims 6-10, 13-17 and 20 under 35 U.S.C. § 103(a) as allegedly obvious over Ohmori and Mowrer in further view of U.S. Patent Publication No. 2003/0232940 to Komoriya, and Claims 5-10, 12-17 and 20 under 35 U.S.C. § 103(a) as allegedly obvious over Suzuki and Mowrer in further view of Komoriya are respectfully traversed.¹ Claims 5-9, 12-16 and 20 depend either directly or indirectly from Claims 4 or 11 and thus are patentable over the cited references for at least the reasons that Claims 4 and 11 are patentable. Withdrawal of each rejection is respectfully requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #038788.53145US).

Respectfully submitted,

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J. D. Evans
Registration No. 26,269

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDE:MWR:elew (2707881)

¹ The rejection of Claims 10 and 17 has been rendered moot by the cancellation of these claims.